

Report Date: October 27, 2017

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

OCT 30 2017

SEAN F. McAVOY, CLERK
YAKIMA, WASHINGTON DEPUTY

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Luis Alberto Soto

Case Number: 0980 2:10CR02012-LRS-1

Address of Offender:

Yakima, WA 98901

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, Senior U.S. District Judge

Date of Original Sentence: June 9, 2011

Original Offense: Felon in Possession of a Firearm, 18 U.S.C. § 922(g)(1)

Original Sentence: Prison - 59 months
TSR - 36 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Benjamin Seal

Date Supervision Commenced: October 26, 2015

Defense Attorney: Federal Defenders Office

Date Supervision Expires: October 25, 2018

PETITIONING THE COURT

To issue a **WARRANT** and to incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court on September 20, 2017.

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number Nature of Noncompliance

- 5 **Special Condition # 17:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Mr. Soto tested positive for amphetamines on September 28, 2017.

On October 26, 2015, supervised release conditions were reviewed and signed by Mr. Soto acknowledging his understanding of special condition number 17, which requires him to abstain from using a controlled substance. On September 28, 2017, Mr. Soto submitted to urinalysis testing which the test returned presumptive positive for the presence of amphetamines. Mr. Soto was confronted regarding his continued use of this substance, to which he denied. The test was sent to Alere Toxicology Services (Alere) for confirmation. On October 8, 2017, Alere confirmed a positive drug test result for the presence of amphetamines.

- 6 **Standard Condition # 3:** The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

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Supporting Evidence: Mr. Soto failed to report to the probation office as directed on October 27, 2017.

On October 26, 2015, supervised release conditions were reviewed and signed by Mr. Soto acknowledging his understanding of standard condition number 3, which requires him to follow the instructions of the probation officer. On the morning of October 27, 2017, Mr. Soto was instructed to report to the probation office to sign the release of information documents for Lifeline Connections Residential Treatment Program. Mr. Soto stated he needed to go to the Department of Social and Health Services but would report to the probation office later that morning before 12 p.m. Mr. Soto failed to report as directed.

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Special Condition # 17: You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Mr. Soto failed to report to the probation office to submit to urinalysis testing as directed by his probation officer on October 27, 2017.

On October 26, 2015, supervised release conditions were reviewed and signed by Mr. Soto acknowledging his understanding of special condition number 17, which requires him to submit to urinalysis testing as directed by his probation officer. On the morning of October 27, 2017, Mr. Soto was instructed to report to the probation office to submit to urinalysis testing. Mr. Soto agreed to report to the probation officer later that morning before noon. Mr. Soto failed to report and submit to urinalysis testing as directed.

The U.S. Probation Office respectfully recommends the Court **issue a warrant** for the arrest of the offender to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: October 27, 2017

s/Jose Zepeda

Jose Zepeda
U.S. Probation Officer

Prob12C

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THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

10/30/17

Date